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2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Switzerland

Introduction

1. Step 12 of the 13 practical steps agreed to at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons calls for regular reports, within the framework of the strengthened review process for the Treaty, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament. This call was reiterated in action 20 of the action plan of the 2010 Review Conference. In line with this commitment, and with a view to contributing to transparency and building confidence towards the 2015 Review Conference, Switzerland submits the present update of its 2013 and 2014 reports (NPT/CONF.2015/PC.II/3 and NPT/CONF.2015/PC.III/6).

General issues

2. The Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the global nuclear non-proliferation regime and an essential element of international security. All States parties share a collective responsibility to maintain the Treaty's credibility by fully implementing all obligations of the Treaty.

3. Switzerland is of the view that the 64 actions contained in the action plan and the practical steps for the Middle East, both adopted at the 2010 Review Conference, together with the Final Documents of the 1995 and 2000 Review Conferences, represent a key acquis which is to be rapidly transformed into concrete results for the Treaty to meet its objectives. Switzerland strongly believes that obligations and commitments in all the three pillars are inextricably linked, which is why unfulfilled commitments in any of the three pillars have a negative impact on the other pillars, and thus on the Treaty as a whole. Switzerland is of the view that while a lot has been achieved with regard to non-proliferation and peaceful use, efforts regarding nuclear disarmament still need to be accelerated significantly in the interest of the credibility and sustainability of the Treaty. Switzerland is also

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convinced that continued possession of nuclear weapons by some States, and the continued attribution of "value" to nuclear weapons as a tool for enhancing security, may increase the risk of nuclear proliferation.

4. Switzerland has been actively supporting the monitoring of Treaty-related implementation efforts by civil society organizations, namely, Reaching Critical Will, the James Martin Center for Nonproliferation Studies and the Centre for Nuclear Non-Proliferation and Disarmament. The key findings of their respective reports were presented to the international community in Geneva in March 2015. A more in-depth discussion of the report by the Centre for Nuclear Non-Proliferation and Disarmament entitled *Nuclear Weapons: The State of Play 2015* was organized by the Geneva Centre for Security Policy and held in March 2015. We encourage States parties to use these findings as a key source when taking stock of progress in 2015 in the process of reviewing the Treaty's implementation.

5. Switzerland is concerned at the slow pace of implementation in the disarmament pillar. Accelerating the progress of implementation in this area, in particular the putting into practice of the action plan, is necessary for the sustainability and credibility of the Treaty regime.

Pillar 1 (actions 1 to 22 of the action plan)

6. Switzerland recognizes efforts made by the nuclear-weapon States to reduce their nuclear arsenals. However, in support of the implementation of actions 3, 4 and 5 of the action plan, Switzerland expresses its concern that several thousands of nuclear weapons still exist, that some nuclear-weapon States are increasing their nuclear capabilities and that all nuclear-weapon States are not only holding on to the logic of nuclear deterrence but also are modernizing their nuclear weapons systems. Switzerland urges the nuclear-weapon States to fully implement their obligations under article VI of the Treaty and to engage in good-faith negotiations on further nuclear disarmament steps.

7. Switzerland is of the view that nuclear weapons do not contribute to international security, but represent a grave risk for both international and human security. At the 2010 Review Conference, all parties to the Treaty expressed their "deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons". Switzerland has supported the joint statements on the humanitarian consequences of nuclear weapons in the First Committee of the General Assembly and meetings of the Preparatory Committee for the 2015 Review Conference. Switzerland has also facilitated efforts by civil society to advance the humanitarian dimension by highlighting the humanitarian consequences of nuclear weapons and, particularly, the consequences that they would cause if such weapons were ever used again. Switzerland actively participated in all three international conferences on the theme "Humanitarian Impact of Nuclear Weapons" hosted by the Governments of Norway (Oslo, March 2013), Mexico (Nayarit, February 2014) and Austria (Vienna, December 2014).

8. Switzerland remains deeply concerned at the lack of progress in both the Conference on Disarmament and the Disarmament Commission. Switzerland is of the view that the continuing deadlock is undermining the multilateral disarmament machinery and that this situation is rooted in institutional deficiencies as well as a lack of political will. Together with other States, Switzerland has called for a debate on the revitalization of the disarmament machinery, including the Conference on

Disarmament. Several proposals have been made to overcome the current deadlock. Switzerland welcomes the fact that the members of the Conference have considered such proposals and are implementing some of the recommendations made with regard to its working methods, but it is also of the view that members of the Conference should now urgently reassess the Conference's working methods in depth. With the Netherlands and South Africa, Switzerland has introduced draft decisions maintaining the issue of revitalization on the agenda of the General Assembly, and Switzerland calls upon the international community to continue to explore, consider and consolidate options, proposals and elements for a revitalization of the United Nations disarmament machinery as a whole, including the Conference on Disarmament.

9. In 2013, Switzerland actively participated in the work of the Open-ended Working Group to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons, which was established by the General Assembly in its resolution 67/56. Switzerland welcomed the Group's consensus report, which reflects the discussions and proposals made. Switzerland also supported the follow-up resolution (68/46) and intends to contribute to its implementation. Switzerland is of the view that, at its seventieth session, the Assembly should assess progress made in the implementation of the resolution and further explore options for taking forward multilateral nuclear disarmament negotiations, including by re-establishing the Open-ended Working Group.

10. Switzerland is concerned that an estimated 1,800 nuclear weapons are still on high alert, which is in direct contradiction to step 9 of the 13 practical steps and actions 5 (e) and 5 (f) of the action plan. In 2010, 2012 and 2014, Switzerland put forward, together with Chile, Malaysia, New Zealand and Nigeria (the De-alerting Group), a resolution in the General Assembly on decreasing the operational readiness of nuclear weapons systems. A 2013 study by the United Nations Institute for Disarmament Research, commissioned by New Zealand and Switzerland and prepared by Hans Kristensen and Matthew McKinzie, *Reducing Alert Rates of Nuclear Weapons*, was presented at a side event during the discussions of the First Committee at the sixty-seventh session of the Assembly, with a side event held in Geneva in 2013 at the second session of the Preparatory Committee. Switzerland also supports Global Zero's high-level Commission on Nuclear Risk Reduction, which will present its report entitled "De-Alerting and Stabilizing the World's Nuclear Force Postures" containing a range of recommendations for progress on reducing operational readiness to the 2015 Review Conference. Switzerland welcomes the fact that some reports by the nuclear-weapon States on their undertakings to implement actions 5 (e) and 5 (f) of the action plan included information about the operational status of nuclear weapons but regrets that no new elements regarding operational readiness were contained in those reports. Together with the other members of the De-Alerting Group, Switzerland has submitted a working paper (NPT/CONF.2015/WP.21) for the 2015 Review Conference containing concrete suggestions for accelerating action on de-alerting, including concrete measures to be achieved during the next review cycle.

11. In accordance with paragraph 80 of the Final Document of the 2010 Review Conference, in which the Conference expressed "its deep concern at the continued risk for humanity represented by the possibility that these weapons could be used and the catastrophic humanitarian consequences that would result from the use of

nuclear weapons", and in support of the implementation of action 5 (f) of the action plan, the aim of which is to reduce the risk of accidental use of nuclear weapons, Switzerland and Austria have mandated Chatham House, a think tank, to examine evidence from declassified documents, testimonies and interviews about risks associated with nuclear arsenals. The study, *Too Close for Comfort: Cases of Near Nuclear Use and Policies for Today*, was presented at the international conference on the theme "Humanitarian Impact of Nuclear Weapons" hosted by the Government of Mexico (Nayarit, February 2014), and at the 2014 session of the Preparatory Committee for the 2015 Review Conference.

12. In accordance with the resolve to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons and in support of the implementation of action 1 of the action plan, under which all States committed themselves to pursuing policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons, Switzerland has supported a project of the Geneva Centre for Security Policy on security in a world without nuclear weapons. The goal of the project is to facilitate a dialogue on how security in a world without nuclear weapons can be generated and what a nuclear-weapons-free world would look like.

13. Also in accordance with action 1 of the action plan, Switzerland has strengthened its legislation. In this respect, the Federal Act on War Material prohibits, since 1 February 2013, direct and indirect financing of the development, manufacture or acquisition of nuclear weapons.

14. Switzerland attaches great importance to the launch of negotiations on a treaty banning the production of fissile material for nuclear weapons. Efforts to ban fissile material relate to action 15 of the action plan. Switzerland is of the view that such an instrument should be of a multilateral character, non-discriminatory and effectively verifiable and should cover the future production and existing stocks of fissile material. In 2013, Switzerland supported General Assembly resolution 67/53 and submitted its views in response to the request of the Secretary-General.

15. Switzerland supported a number of disarmament education activities, including various activities of the James Martin Center for Nonproliferation Studies and the courses on arms control and disarmament of the United Nations-mandated University for Peace (Geneva office). Switzerland will also support a James Martin Center for Nonproliferation Studies summer course on nuclear disarmament, to be held in Mexico in the summer of 2015.

16. Switzerland welcomes the initiative of the United States of America on an international partnership for nuclear disarmament verification as an important cooperative approach to nuclear disarmament and a practical element in view of the implementation of action 19 of the action plan. Switzerland participated in the first meeting in March 2015.

Pillar 2 (actions 23 to 46 of the action plan)

17. Since its entry into force more than 40 years ago, the Treaty has largely achieved what was expected of it in terms of non-proliferation. The much feared large-scale proliferation of nuclear arms has not come to pass.

18. Nevertheless, the risk of proliferation is still present, as illustrated by some unresolved cases. The international community must therefore continue to spare no

effort to ensure the success of this key pillar. Indeed, more States with nuclear weapons would lead to a less secure world in which the already existing risks of unacceptable catastrophic humanitarian consequences would increase.

19. Switzerland therefore calls upon States whose actions have raised proliferation concerns to fully comply with their non-proliferation obligations by addressing all non-compliance matters with their safeguards obligations in order to uphold the authority of the safeguards system.

20. Switzerland is convinced that only a diplomatic approach to outstanding proliferation cases will lead to sustainable solutions. In this spirit, Switzerland has been supporting the negotiating process between the E3/EU+3 and the Islamic Republic of Iran by hosting several meetings which led to the adoption, in Geneva in November 2013, of a joint plan of action and the adoption, in Lausanne in April 2015, of a joint statement. Switzerland calls upon all parties to realize their common expressed intention and remains available to support the process leading to a global agreement. Switzerland has also supported the monitoring and verification activities carried out by the International Atomic Energy Agency (IAEA) under the joint plan of action.

21. Switzerland has consistently underlined the need to universalize the IAEA safeguards system by calling upon all States parties that have not yet done so to bring into force without delay an IAEA comprehensive safeguards agreement in accordance with the provisions of article III of the Treaty. Switzerland also calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States. In the meantime, Switzerland urges those States remaining outside the Treaty safeguards system to remedy this situation as a matter of priority.

22. Switzerland supports the efforts to universalize complementary instruments that, just as the Additional Protocol, have proved invaluable in strengthening the non-proliferation regime. Switzerland is of the view that a comprehensive safeguards agreement, together with an additional protocol, should constitute the safeguards standard. Switzerland encourages all States parties that have not yet done so — in particular those with significant nuclear activities — to conclude and bring into force an additional protocol with IAEA.

23. Since the 2010 Review Conference, Switzerland has supported the efforts of the IAEA secretariat to further develop the State-level concept by launching various initiatives. Switzerland is of the view that optimizing the safeguards system, with a less mechanical approach that better reflects the specificities of each State, will enable IAEA to focus its efforts where they are most needed. Switzerland encourages all parties to support the current conceptual work of the secretariat. It is indeed in all States parties' interest to provide IAEA with the tools to better meet future challenges.

24. As Chair for 2014 of the Organization for Security and Cooperation in Europe (OSCE), Switzerland has been supporting a project to support participating States members of OSCE in their efforts to build national capacity and the legislative basis to implement Security Council resolutions 1540 (2004) and 1977 (2011). The project is a concrete contribution to raising regional awareness and fostering closer cooperation among all relevant regional and national stakeholders, as well as to global efforts to facilitate the implementation of those resolutions and to strengthen OSCE expertise and capacity in this respect.

25. Switzerland is convinced that strengthening nuclear security deserves the commitment of all States parties to the Treaty. Switzerland therefore is a State party to the Convention on the Physical Protection of Nuclear Material and to its Amendment and to the International Convention for the Suppression of Acts of Nuclear Terrorism. Switzerland has also notified its support for the revised IAEA Code of Conduct on the Safety and Security of Radioactive Sources. Switzerland also participated at a high level in the IAEA Ministerial Conference on Nuclear Security, held in July 2013, and in the Nuclear Security Summits held in Washington, D.C., in 2010, in Seoul in 2012 and in The Hague in 2014. At all the meetings, Switzerland emphasized the importance of strengthening the security of all nuclear material, including military materials. Furthermore, Switzerland is a member of the Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction and of the Global Initiative to Combat Nuclear Terrorism.

26. In 2014, Switzerland hosted the tenth annual North Atlantic Treaty Organization (NATO) Conference on Weapons of Mass Destruction Arms Control, Disarmament and Non-Proliferation, which provided a useful setting for a dialogue among NATO allies, partner States and other countries across the globe on challenges relating to weapons of mass destruction.

Pillar 3 (actions 47 to 64 of the action plan)

27. Switzerland is convinced that the best way to ensure that IAEA resources for technical cooperation activities are sufficient, assured and predictable is by incorporating the Technical Cooperation Fund into the regular budget of IAEA. As in the past, Switzerland continues, in the context of the IAEA General Conference, to raise this issue.

28. Switzerland is convinced that nuclear safety is an issue of a global nature and that strengthening nuclear safety deserves the commitment of all State parties to the Treaty. Switzerland therefore is a State party to all international conventions in the field of nuclear safety.

29. In this context, Switzerland successfully submitted to the Contracting Parties to the Convention on Nuclear Safety, at their sixth review meeting, held in Vienna in April 2014, a proposal to convene a diplomatic conference to negotiate an amendment in order to strengthen the Convention. Even though the adoption of an amendment to the Convention proved impossible, the Contracting Parties decided on principles, expressed in the Vienna Declaration on Nuclear Safety, to guide them in the implementation of the Convention. These principles include safety improvements for existing nuclear power plants.

30. Furthermore, Switzerland supports a rapid and complete implementation of the IAEA Action Plan on Nuclear Safety, which was adopted in September 2011. The Plan contains useful tools to strengthen nuclear safety, such as the establishment of peer review missions on a regular basis, greater transparency on the part of national authorities in the publication of their reports and in the implementation of recommendations of peer review missions and the use of state-of-the-art technology.

Practical steps to implement the 1995 Resolution on the Middle East

31. Switzerland has actively supported the efforts of the facilitator to prepare the ground for the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction by hosting several meetings among the States of the region, the facilitator and the co-conveners.

32. Switzerland, together with the Federal Foreign Office of Germany, has supported a project by the Peace Research Institute Frankfurt entitled "Academic Peace Orchestra Middle East", involving participants from Arab countries, Israel and the Islamic Republic of Iran, who have explored, in a series of workshops, various aspects of a Midule East zone free of nuclear weapons and all other weapons of mass destruction. The initiative has been providing input to the official efforts to convene the Helsinki conference on the establishment of such a zone in the Middle East as agreed at the 2010 Review Conference. The findings of the project will be presented at the 2015 Review Conference.